## EXPRESS MAIL NO. EVYGYS3270SUS

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Complete if Known

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

hitute for form 1449A/PTO

Sheet

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

Application Number 10/820,876 Filing Date April 9, 2004 First Named Inventor Daniel Breen et al. Art Unit To be assigned Examiner Name To be assigned SSB0005 Attorney Docket Number

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No.1	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	
		Number - Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	Clad Document	Passages or Relevant Figures Appear	
NA	1	US- 2003/0061148 A1	03/27/2003	Alavian		
Λ.	2	US- 2003/0200167 A1	10/23/2003-	Kemp, II et al.		
	3	US- 2004/0006528 A1	01/08/2004	Kevin Fung		
V	4	US- 2004/0019555 A1	01/29/2004	Lara		
NX	5	US- 2004/0059670 A1	03/25/2004	Mills		
		US-				
		US-				
		US-	٠,			
		US-				
		US-				
	Ĭ .	US-				
	I	US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Dublication	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	٦٥
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>ii known</i> )	Publication Date MM-DD-YYYY			
-						
				· · · · · ·	<del> </del>	

Examiner Signature Date Considered \$/23/05			
	Mi /u AVE	Date Considered	1 4/23/01

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \(^1\) Applicant's unique citation and easignation number (optional). \(^3\) See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. \(^3\) Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \(^4\) For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \(^3\) Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \(^3\) Applicant is to place a check mark here if English language

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete. including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## EXPRESS MAIL NO. EV46453270545

PTO/SB/08b(08-03)

Approved for use through 07/31/2008. OMB 0651-0031 U.S. Petent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

e for form 14498/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known 10/820,876 Application Number Filing Date April 9, 2004 Daniel Breen et al. First Named Inventor Art Unit To be assigned To be assigned Examiner Name Attorney Docket Number SSB0005

(Use as many sheets as necessary) Sheet

NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of T? Cite the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue Examiner No.1 Initials 1 number(s), publisher, city and/or country where published. Peagram, Norman, "Chicago chases market share in equily derivatives", Euromoney, Vol. 295, pp. 98(3), November 1993 Freeman, Louis S. et al., "Tax consequences of business and investment-driven uses of derivatives", Taxes, Vol. 2 72, No. 12, pp. 947-994, December 1994 Neish, Stephen, "Will synthetic convertibles save you money?", Corporate Finance, Iss. 135, pp. 45 (2), February 3 "Raising debt at a cost below prevailing market rates", International Tax , pp. 21-40, June 2000 Tunick, Britt et al., "Fending Off Hedge Funds: New convert strategies aim to counter short sales and dilution". 5 The Investment Dealers' Digest, pp. 9-10, March 10, 2003 Santini, Laura, "Zeros Reenter The Convert Fray: Two recent deals use "call spreads" to immunize against 6 dilution", The Investment Dealers' Digest, p. 1, June 23, 2003 "TUI goes bullish with innovative option", Corporate Finance, p. 6, November 2003 7 Santini, Laura, "Sepracor CFO Hustles To Bring Zero Converts: A classic CFO's financing dilemma leads to a V8 novel solution", The Investment Dealers' Digest, p. 10, December 15, 2003

Examiner	NI / L	Date	8/23/25
Signature	N. Auto	Considered	8/25/03

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-